



**ENVIRONMENT
AGENCY**

ENVIRONMENTAL PROTECTION ACT 1990. WASTE MANAGEMENT LICENCE.

LICENCE REF No: - EA WML 40092

FACILITY TYPE: - Transfer Station

The Environment Agency, in pursuance of Part II of the Environmental Protection Act 1990, hereby grant a waste management licence authorising the keeping and treating of controlled waste on the land specified in schedule 1 to this licence to Michael John Barber of 24 Pelsall Lane, Walsall, West Midlands, WS4 1NL, that person being in occupation of the said land, the said licence being subject to the conditions specified in schedule 2 to this licence.

SCHEDULE 1.- SPECIFIED LAND.

The licence relates to land at Gatehouse Trading Estate, Lichfield Road, Brownhills, WS8 6JZ, (hereinafter called "the site") shown edged red on Drawing Reference Number bms/sas/01, attached to this licence.

Signed *Rebecca Warren*

Name: Rebecca Warren

Team Leader Environment Management

Dated 29th January 2004

FOR ENVIRONMENT AGENCY OFFICIAL USE ONLY.

**YOUR ATTENTION IS DRAWN TO THE RIGHTS OF APPEAL DETAILED IN THE NOTES
AT THE END OF THIS LICENCE.**

Environment Agency, Upper Trent Area, Sentinel House, Wellington Crescent, Fradley Park, Lichfield, Staffordshire, WS13 8RR



General considerations

Specified waste management operations

No waste management operations shall be authorised by this licence unless:

- a** specified in and undertaken in accordance with the limitations in section 1.2 of the working plan and in the following table or
- b** otherwise required by the conditions of this licence as being an integral part of those operations:

Table 1.1 Specified waste management operations

Specified Waste Management Operation	Permitted Waste Types which may be subject to the Specified Operation	Limits on Specified Waste Management Operations
D9: Physico-chemical treatment of waste not listed elsewhere in this table which results in final compounds or mixtures which are disposed of on this site by means of any of the category 'D' operations authorised under this column, or elsewhere than on this site, by means of any of the operations listed in Part III of Schedule 4 of the 1994 Regulations.	All waste	<p>Specified waste management operations to be carried out in area outlined green and marked 'Operational area' on plan Ref. number BMS/SAS/02</p> <p>Treatment consisting only of physical sorting or separation of wastes into different components.</p>
D13: Blending or mixture of waste prior to the waste being submitted on this site to any of the category 'D' operations authorised under this column, or elsewhere than on this site, to any of the operations listed in Part III of Schedule 4 of the 1994 Regulations.	All wastes	<p>Specified waste management operations to be carried out in area outlined green and marked 'Operational area' on plan Ref. number BMS/SAS/02.</p> <p>Physical mixing or bulking of solid wastes of the same or different types, where there are no resulting changes in the chemical composition of the wastes or its different components. There shall be no mixing or dilution of different types of wastes in liquids or sludges.</p>
Storage (D15 or R13) pending, disposal or recovery.	All waste	<p>Specified waste management operations to be carried out in area outlined green and marked 'Operational area' in Plan Ref. number BMS/SAS/02.</p> <p>No more than 110 cubic metres of waste to be stored on site at any time.</p> <p>No more than 100 tonnes of waste to be accepted on site per day.</p>
R2: Recycling or reclamation of organic substances which are not used as solvents.	All wastes	Specified waste management operations to be carried out in area outlined green and marked 'Operational area' on plan Ref. number BMS/SAS/02
R3: Recycling or reclamation of metals and metal compounds.	All wastes	Specified waste management operations to be carried out in area outlined green and marked 'Operational area' on plan Ref. number BMS/SAS/02
R4: Recycling or reclamation of other inorganic materials.	All wastes	Specified waste management operations to be carried out in area outlined green and marked 'Operational area' on plan Ref. number BMS/SAS/02

Specified Waste Management Operations and Exempt Waste Management Operations

Where wastes are being brought onto the site for waste management operations which are exempt from licensing under the 1994 Regulations, then the wastes which are subject to the specified waste management operations shall be kept clearly segregated and identified from those wastes which are being kept on the site for the exempt waste management operations.

1.2

Permitted wastes

Permitted categories and types of wastes

No wastes other than those which are both categorised below in Table 1.2.a, and specified in detail in Table 1.1 of the working plan and in Appendix A to these conditions shall be accepted at the site.

Permitted quantities of wastes

The quantities of wastes accepted shall not exceed those listed in Table 1.2.a and specified in detail in Table 1.1 of the working plan. Whilst complying with the maximum quantities specified for each type of waste, the total quantity of waste accepted at the site per year shall not exceed 24,950 tonnes.

Table 1.2.a Permitted quantities of waste

Permitted Waste Categories	European Waste Catalogue Chapter	Maximum Permitted Quantities for each waste category (subject to maximum permitted total quantity in condition 1.2.2) (tonnes/year)
Inert wastes	As specified in Appendix A	No limit subject to maximum storage capacities detailed in Table 1.1.
Metal wastes	As specified in Appendix A	7,500 tonnes/year
Hazardous wastes	Not permitted	Not permitted
Degradable household commercial or industrial wastes	As specified in Appendix A	No limit subject to maximum storage capacities detailed in Table 1.1.
Other wastes	As specified in Appendix A	No limit subject to maximum storage capacities detailed in Table 1.1.

Exclusion of wastes with other specified characteristics

Notwithstanding the specification of permitted waste types under conditions 1.2.1 and 1.2.2 above, wastes shall not be accepted at the site which have any of the following characteristics:

Table 1.2.b Excluded wastes of specified form and type

Waste Characteristic	Type
Form and Type:	Slurries Sludges Liquids Wastes likely to contain food waste or animal fibres Special
Properties:	Any potentially putrescible waste.

1.3 Hours of operation

No condition set – the permitted operating hours are covered by the planning permission.

1.4 Staffing and understanding of requirements of licence conditions and working plan

Minimum staffing and supervision

Whenever the site is open to receive or despatch waste, or is carrying out any of the specified waste management treatment or disposal operations, it shall be supervised in accordance with section 4.1 of the working plan by staff who are suitably trained and fully conversant with the requirements of the licence and the working plan regarding:

- a** waste acceptance and control procedures;
- b** operational controls and environmental monitoring;
- c** maintenance;
- d** record-keeping;
- e** emergency action plans;
- f** notifications to the Agency.

Availability of licence and working plan

A copy of this licence and the working plan shall be kept available on site for reference when required by all site staff carrying out work under the requirements of the licence.

Understanding of licence and working plan

All site staff shall be, or shall work under the direct supervision of a member of staff who is, fully conversant with those aspects of the licence conditions and working plan which are relevant to their specific duties.

1.5 Changes in technically competent persons

Any changes in the technically competent management of the site and the name of any incoming person together with evidence that such person has the required technical competence shall be submitted to the Agency in writing within 5 working days of the change in management. Technically competent management and technical competence shall be as defined under section 74 of the Environmental Protection Act 1990 and Regulations 4 and 5 of the 1994 Regulations.

1.6 Relevant convictions

Notification of relevant convictions

In the event of the Licence Holder and/or any relevant person being convicted of any relevant offence and which is in addition to any already notified to the Agency, then full details shall be provided to the Agency within 14 days following sentencing, whether or not the conviction or sentence is subsequently appealed. Such details shall include, in respect of each relevant person (as defined in section 74(7) of the Environmental Protection Act 1990 or any subsequent amendments to that section), the nature of the offence, the place and date of conviction, and any fine or other penalty imposed.

Notifications of appeals against convictions

In the event that the Licence Holder and/or any relevant person lodges an appeal against any such conviction or sentence, the Licence Holder shall notify the Agency of this within 14 days of the lodging. The Licence Holder shall notify the Agency of the results of that appeal, within 14 days of the appeal being decided.

1.7 Amendments to working plan and supporting information

Amendments to working plan requiring prior consent from the Agency

The Licence Holder shall give the Agency prior notice in writing of any proposed change to those sections of the working plan which are specified in Table 1.8 below, and to any appendices, drawings and figures which are referenced in those sections.

Table 1.8 Sections of working plan requiring prior consent for amendments

Number and Heading of Working Plan Sections and Appendices	Sections, Subsections and Appendices requiring Prior Consent for Amendments
Section 1	1.2, 1.3, 1.4, 1.5.1, Table 1.1,
Section 2	2.1.2, 2.3.1, 2.3.2, 2.4.1
Section 3	3.1
Section 4	4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.11,
Section 6	6.2, 6.3, 6.4, 6.5, 6.6, 6.7,
Section 7	7.1
Appendices	Appendices, 2, 3, 4, 5
Plans	BMS/SAS/01, BMS/SAS/02

The notice shall be accompanied by a copy of the proposed changes, and by a written assessment of the effect that implementing the proposed change to the working plan would have on the risk posed by the site to human health and the environment.

The Licence Holder shall provide up to 6 additional copies of the proposed change and supporting risk assessment to the Agency, when required by the Agency in writing.

The proposed change to the working plan shall not be implemented unless the Agency has given its written consent to it. Following consent, the Licence Holder shall give the Agency prior written notification of the implementation date of the change, and from that date the changed section shall be deemed to be incorporated in the working plan in replacement of the previous version of that section.

Amendments to the working plan requiring prior notification to the Agency

Except where it is specified under condition 1.8.1 above that the amendment of specified sections of the working plan requires the prior consent of the Agency, the Licence Holder shall give the Agency not less than 7 days prior written notice of any change to the working plan and to any appendices, drawings and figures which are referenced from those sections.

The notice shall be accompanied by a copy of the specified changes.

The Licence Holder shall provide up to 6 additional copies of the proposed change to the Agency, when required by the Agency in writing.

Such changes to the working plan shall be deemed to be incorporated in the working plan and implemented on the date specified to the Agency in the amendment notification.

1.8

Notification of change of operator's or holder's details

The following information shall be notified in writing within 5 working days to the Agency:

- a** where the Licence Holder is an individual or named individuals:

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- i** where the Licence Holder consists of more than one named individual, the death of any of those individuals;
 - ii** any change in the Licence Holder's name(s) or address(es);
 - iii** any steps taken with a view to the Licence Holder, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case them being in a partnership, dissolving the partnership;
 - iv** the operator at the time of issue of the licence and of any change in the operator or in the operator's trading name, address, registered name or registered office address (if different from the Licence Holder);
 - b** where the Licence Holder is a registered company:
 - i** i) any change in the Licence Holder's trading name, registered name or registered office address;
 - ii** ii) any steps taken with a view to the Licence Holder going into administration, entering into a company voluntary arrangement or being wound up;
 - iii** the operator at the time of issue of the licence and of any change in the operator or in the operator's trading name, address, registered name or registered office address (if different from the Licence Holder);
 - c** where the Licence Holder is a corporate body other than a registered company:
 - i** i) any change in the Licence Holder's name or address;
 - ii** ii) any steps taken with a view to the dissolution of the Licence Holder;
 - iii** iii) the operator at the time of issue of the licence and of any change in the operator or in the operator's trading name, address, registered name or registered office address (if different from the Licence Holder)

1.9 Notification of preparatory works

No preparatory works shall be undertaken until at least 7 days prior notice in writing has been given to the Agency of the intention to do so. The notification shall include details of what work is being done and when.

1.10 Notification of commencement, cessation and recommencement of waste handling operations

Specified waste management operations

No specified waste management operation shall be carried out until at least 7 days prior notice in writing has been given to the Agency of the intention to commence carrying out the specified waste management operation.

Cessation and recommencement of receiving wastes

In the event that the site ceases receiving wastes for longer than 21 days then within 7 days following the elapse of that time, the Licence Holder shall inform the Agency in writing of the date of cessation and of the planned date of recommencement. In the event that the site recommences receiving wastes sooner than the notified date then the Licence Holder shall give the Agency not less than 7 days prior notice in writing.

1.11

Notifications and submissions to Agency

Except where otherwise specified, all notifications and submissions to the Agency under the requirements of these licence conditions:

- a** shall be made in writing to the address specified by the Agency in writing at the time of issue of this licence, or as subsequently specified by written notification to the Licence Holder;
- b** shall quote the licence reference number and the name of the Licence Holder.

Site engineering for pollution prevention and control

Engineered site containment and drainage systems

Provision and maintenance of site containment and drainage systems

No waste shall be deposited, stored, treated or otherwise handled in any area of the site until the engineered site containment and drainage system for that area has been constructed and completed in accordance with this condition and section 2.1 of the working plan

The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose and to meet the standards specified in section 2 of the working plan.

Construction quality assurance of new site containment and drainage systems

No wastes shall be deposited, stored, treated or otherwise handled in any area or in any fixed tank for which an engineered site containment and drainage system has been newly constructed to meet the requirements of this condition until:

- a** details of the identities, relevant experience and relevant qualifications of the personnel who will be providing Quality Assurance of the engineered site containment and drainage systems have been submitted in writing to the Agency and acknowledged in writing by the Agency;
- b** the engineered site containment and drainage system has been constructed in accordance with section 2.1. of the working plan and the other requirements of this condition;
- c** the Validation Report on the construction of the engineered site containment and drainage system has been submitted in writing to the Agency and has been acknowledged in writing by the Agency.

Construction quality assurance of existing site containment and drainage systems

No wastes shall be deposited, stored, treated or otherwise handled in any area or in any fixed tank for which a previously constructed and existing engineered site containment and drainage system is being used to meet the requirements of this condition unless:

- a.** details of the identities, relevant experience and relevant qualifications of the suitably qualified Engineer who will be providing inspection and validation of the existing engineered site containment and drainage systems have been submitted in writing to the Agency and acknowledged in writing by the Agency;

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- b** the engineered site containment and drainage system for that area has been inspected by the designated Engineer and has been maintained or improved, in accordance with their recorded advice, to meet the standards specified in section 2.1.2 of the working plan;
 - c** the Validation Report confirming that the engineered site containment and drainage system meets the specified standards has been submitted in writing to the Agency and has been acknowledged in writing by the Agency.

Site infrastructure

3.1 **Provision of site identification board**

No wastes shall be received at the site until an identification board has been provided at or near the site entrance.

The identification board shall be inspected at least once per week. In the event of damage or defect, the board shall be repaired or replaced within 6 working days.

The board shall be easily readable from outside the site entrance in daylight hours, and shall display the following information:

- a** Site name and address;
- b** Licence Holder name (company name, not individual name unless justified as necessary);
- c** Operator name (company name, not individual name unless justified as necessary);
- d** Licence number;
- e** Emergency contact name and telephone number (for security reasons, personal names and home phone numbers should not be used except where no alternative is practicable);
- f** Statement that the site is licensed by the Environment Agency;
- g** Agency national numbers: 0845 9333 111 and 0800 807060;
- h** Days and hours site is open to receive waste.

The location of the noticeboard should be such that it is clear that it does not designate areas outside the licensed site and does not encourage illegal tipping.

3.2 **Site security**

Site security systems shall be provided at all times during the subsistence of this licence, the objective of which shall be to prevent access by humans and livestock which is not authorised either by the Licence Holder or under legal powers of entry. These shall be installed, operated and maintained, and shall be fully documented and recorded, in accordance with section 3.1 of the working plan:

Site operations

4.1

Control of mud and debris

Prevention of mud and debris on road

Whenever the site is receiving or despatching wastes measures shall be provided, operated and maintained in accordance with section 4.3 of the working plan, with the objective of preventing the deposit or tracking of mud or debris arising from the site onto public areas outside the site, which shall include public highways and areas of public access outside the site.

All vehicles leaving areas of the site which are operational or upon which engineering works are being carried out shall, before leaving the site, be cleaned as necessary using the specified equipment and shall be checked to ensure that they are clear of loose waste and that their loads are secure.

Remediation of mud and debris on road

In the event that mud or debris arising from the site is deposited onto public areas outside the site, remedial measures shall be implemented immediately, in accordance with the following requirements:

The affected public areas shall be cleaned.

4.2 Potentially polluting leaks and spillages of waste

Potentially polluting leaks and spillages from vehicles, plant and equipment

All vehicles used on the site by the operator, and all plant and all equipment used on the site in connection with specified waste management operations, shall be operated and maintained with the objective of preventing potentially polluting leaks and spillages of wastes [or other potentially polluting materials which are to be used in combination with those wastes in the specified waste management operations].

Control and remediation of leaks and spillages

In the event of any potentially polluting leak or spillage occurring on site, documented control and remediation procedures shall be implemented immediately and recorded, in accordance with section 4.4 of the working plan.

4.3 **Fires on the site**

Prohibition of unauthorised fires on site

No wastes shall be burned on the site.

Fire action plan

In the event of a fire on the site, a fire action plan shall be implemented immediately and recorded, in accordance with section 4.5 of the working plan.

4.4 **Waste acceptance and control procedures**

Waste acceptance procedures

All wastes shall be received, inspected, accepted or rejected, and recorded in accordance with section 4.6 of the working plan.

Waste control procedures

All wastes accepted at the site shall be handled, kept and recorded in accordance with section 4.7 of the working plan.

Waste despatch procedures

All outgoing wastes shall be inspected, despatched and recorded in accordance with section 4.8 of the working plan.

Incompatible wastes

Incompatible wastes which are likely, in combination with each other or with other material at the facility, to give rise to pollution of the environment or harm to human health outside the site, shall be clearly identified and kept physically separate in designated areas, in accordance with section 4.6.4 of the working plan.

4.5 **Waste quantity measurement systems**

Means of measurement

All wastes accepted at and despatched from the site shall be measured in accordance with section 4.10 of the working plan:

Removal of residual wastes from site

In the event that the specified waste management operations on the site cease and the Agency has reasonable grounds to believe that they will not be resumed within 3 months, then, notwithstanding the operational limits on storage times of wastes specified in the other conditions of this licence, the licence holder shall ensure that all wastes remaining on the site shall be removed by the date specified by the Agency in writing. This shall include, where required by the Agency, cleaning of plant, equipment and engineered containment used in the specified waste management operations, and emptying of any sealed sumps or interceptors.

Pollution control, monitoring and reporting

Note: No conditions necessary under this section.

Amenity management and reporting

6.1

Control, monitoring and reporting of dusts, fibres and particulates

Measures shall be implemented and maintained throughout the operational life of the site to control and monitor emissions of dusts, fibres and particulates from the site, in accordance with this condition and section 6.3 of the working plan.

All emissions to air from the specified waste management operations on the site shall be free from visible concentrations of dusts, fibres or particulates as are likely to cause pollution of the environment or harm to human health or serious detriment to the amenity of the locality outside the site boundary, as perceived by an authorised officer of the Agency.

In the event that any dusts, fibres or particulates arising from the site are released or are likely to be released [onto public areas] outside the site boundary in such quantities or concentrations that they are likely to cause pollution of the environment or harm to human health or serious detriment to the amenity of the locality, the actions specified in section 6.3 of the working plan shall be implemented immediately.

6.2

Control of odours

Measures shall be implemented and maintained throughout the operational life of the site to control and monitor emissions of odours from the site, in accordance with this condition and section 6.4 of the working plan.

All emissions to air from the specified waste management operations on the site shall be free from odours at levels as are likely to cause pollution of the environment or harm to human health or serious detriment to the amenity of the locality outside the site boundary, as perceived by an authorised officer of the Agency.

In the event that any odours arising from the site are released or are likely to be released [onto public areas] outside the site boundary at such levels that they are likely to cause pollution of the environment or harm to human health or serious detriment to the amenity of the locality, the actions specified in section 6.4 of the working plan shall be implemented immediately.

6.3

Control of noise

Measures shall be implemented and maintained throughout the operational life of the site, in accordance with this condition and section 6.5 of the working plan to control and minimise the levels of noise from operations on the site beyond the site boundary.

6.4 **Control of pest infestations**

Measures shall be implemented and maintained throughout the operational life of the site to control and monitor the presence of pests on the site, in accordance with section 6.6 of the working plan.

6.5 **Control of scavenging birds and other scavengers**

Measures shall be implemented and maintained throughout the operational life of the site to control and monitor the presence of scavenging birds and other scavengers on the site, in accordance with section 6.6 of the working plan.

6.6 **Control of litter**

Measures shall be implemented and maintained throughout the operational life of the site to control and monitor the escape of litter from the confines of the site, in accordance with section 6.7 of the working plan.

In the event that litter does escape from the site, it shall be retrieved immediately.

Site records

7.1 **Security and availability of records**

Security of records

All records which are required to be made under the other conditions of this licence and the working plan shall be maintained and kept secure from loss, damage or deterioration, and shall be kept in accordance with section 7.1 of the working plan.

Availability of records

All records which are required to be made under the other conditions of this licence and the working plan shall be made available for inspection at the place where they are kept immediately when required by an authorised officer of the Agency.

7.2 **Records of waste movements**

Recording of wastes accepted and removed

A record shall be kept of each load of waste accepted and each load of waste removed from site. This record shall include the following details:

- a** Loads in :- Nature (solid, sludge or liquid), waste type as specified under condition 1.2 and in Table 1.1 of the working plan, quantity (tonnes), date received, date accepted.
- b** Loads out :- Nature (solid, liquid or sludge), waste type as specified under condition 1.2 and in Table 1.1 of the working plan, quantity of waste removed (tonnes), date removed.

Summary records of wastes accepted and removed

A summary record of the waste types accepted and removed from the site shall be made for each quarter of the financial year, and shall be submitted to the Agency within 1 month following the end of the quarter. The summary record shall be in a format agreed by the Agency in writing.

7.3 **Site diary**

A site diary shall be kept secure and shall be available for inspection at the site when required by an authorised officer of the Agency. This shall include a record of the following events:

- a** construction work
- b** start and finish of daily waste management activities on site
- c** maintenance

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- d** breakdowns
 - e** emergencies
 - f** problems with waste received and action taken
 - g** site inspections and consequent actions carried out by the operator
 - h** technically competent management attendance on site: the date and the time onto site and the time left site
 - i** despatch of records to the Agency
 - j** severe weather conditions
 - k** complaints about site operations and actions taken
 - l** environmental problems and remedial actions

Each record shall be completed within 24 hours of the relevant event.

7.4

Periodic reporting of environmental performance

The Licence Holder shall provide the Agency on an annual basis, following the end of the financial year, or such other time as is agreed in writing with the Agency, a report on the environmental performance of the site, which shall include the following information:

- a** An analysis and review of all complaints received during the year and of actions taken;
- b** An analysis and review of all events causing the implementation of actions to control and minimise emissions or released from the site, in accordance with these conditions;
- c** a review of the risk assessment and risk management systems for the site, taking account of the findings under (a) and (b).

Interpretation

In these conditions and their interpretation, unless the context otherwise requires, the following terms have the specified meanings:

“accepted”

for waste being delivered to the site, shall mean accepted as waste input to the site for storage and/or processing and/or disposal under the specified waste management operations;

“authorised officer of the Agency”

means any person(s) authorised in writing by the Agency pursuant to section 108(1) of the 1995 Act to exercise any of the powers specified in subsection (4) of that section;

“consequences”

for **risk assessments** carried out within these conditions, means the adverse effects of harm as a result of realising a **hazard** which cause the quality of human health (other than health and safety of site staff or visitors to the site covered under the Health and Safety at Work Act 1974) or the environment to be impaired in the short or longer term;

“engineer”

for engineering works specified in these conditions, means a person who works in the relevant branch of engineering, as a qualified professional;

“engineered”

for works specified in these conditions, means carried out and completed using the relevant engineering process specified in these conditions;

“engineered site containment and drainage system”

means all elements relating to engineered containment of activities on the site, other than final disposal to land, and incorporating site surfacing, bunding and drainage systems, buildings and fixed tanks;

“engineering”

for engineering works specified in these conditions, means the relevant process of design, construction or installation, quality assurance or validation or commissioning specified in these conditions;

“environmental targets or receptors”

for **risk assessments** carried out within these conditions, shall mean identified human and environmental populations or components, as specified in these conditions or otherwise agreed by the Agency within these conditions;

“groundwater”

means any water contained in underground strata;